

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In the Matter of the Petition of DALIA  
GENGER, as Trustee of the Orly Genger 1993  
Trust Established on Dec.13, 1993 by Arie  
Genger, grantor.

SDNY Case No. 19-cv-9365 (UA)

Dalia Genger, trustee of The Orly Genger 1993  
Trust,

Petitioner,

- against -

Orly Genger, Arie Genger, Glenclova Investment  
Company, TR Investors, LLC, New TR Equitiy I,  
LLC, New TR Equity II, LLC, Trans-Resources,  
Inc., Arnold Broser, David Broser, John Does 1-  
20, and Jane Does 1-20,

Respondents.

N.Y. Cty. Surrogate's Court File  
No.: 2008-0017/E

**OPPOSITION TO MOTION TO TRANSFER**

The motion to transfer this matter to the United States Bankruptcy Court for the Western District of Texas is moot because that court has transferred the pending bankruptcy action to the Southern District of New York.

Specifically, on October 9, 2019, the Western District of Texas Bankruptcy Trustee (through counsel) had removed this matter from Surrogate's Court to the Southern District of New York. (Dkt. no. 1.) Then, on October 22, 2019, the Trustee filed the instant motion to transfer the matter to Texas. (Dkt. no. 6.)

Meanwhile, there was a motion pending in Texas to transfer venue to the Southern District of New York (Bankr. W.D.Tx., No. 19-10926, dkt. #129), which was granted yesterday, November 5, 2019. In light of the Texas court's ruling, the instant motion to transfer is moot. Counsel to the W.D. Tex. Bankruptcy Trustee has since indicated that such motions to transfer

would be withdrawn from this proceeding, as well as the related proceeding, *Genger v. Genger*, Case No. 1:19-cv-9319 (AKH) (S.D.N.Y.).

Furthermore, as will be detailed in the undersigned's forthcoming motion to remand, these petitions should be returned to the New York Surrogate's Court.

Dated: November 6, 2019  
New York, NY

Respectfully submitted,

POLLOCK COHEN LLP

By: /s/ Adam Pollock

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